

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

UNITED STATES OF AMERICA

v.

CALEB TIMOTHY FOX

Case No. 6:25-MJ- 45

JUDGE MITCHELL

Filed Under Seal

**AFFIDAVIT IN SUPPORT OF A COMPLAINT AND
REQUEST FOR AN ARREST WARRANT**

I, James Reed, being duly sworn, depose and state that:

INTRODUCTION AND BACKGROUND

1. I make this affidavit in support of a criminal complaint and arrest warrant for Caleb Timothy FOX (hereinafter referred to as "FOX"), a white male with a date of birth of April 18, 1992, for violation of 18 U.S.C. § 933(a)(3), Attempted Trafficking in Firearms.

2. I am a special agent with the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and have been since January 2014. I am currently assigned to the Tyler, Texas Field Office. As a special agent, I am a graduate of the Federal Law Enforcement Training Center (FLETC) and the ATF National Academy. I regularly refer to state and federal laws and regulations during the course of my duties. I have received a Bachelor of Arts degree in Political Science and a Master's in Public Administration from Texas A&M University. Based upon my training and experience as an ATF Special Agent, I am familiar with federal laws, including those referenced in this affidavit.

3. Because this affidavit is being submitted for the limited purpose of securing a criminal complaint and arrest warrant, it is only intended to show sufficient facts to establish probable cause and does not set forth all of my knowledge about this matter. During the course of this investigation, I gained personal knowledge or have been made aware of the following:

PROBABLE CAUSE

4. On March 12, 2025, ATF Tyler was notified by Federal Firearms License (FFL) Mac's Gun Shop Inc., located in Tyler, Smith County, in the Eastern District of Texas, of a suspected straw purchase of multiple firearms. On the same day, investigators interviewed the FFL who provided an ATF Form 4473 showing that two days prior on March 10, 2025, Mia Dickerson had attempted to purchase six firearms:

- a. A Winchester, model 190, .22LR caliber rifle, bearing serial number B1883890;
- b. A Springfield Arms, model 187s, .22LR caliber rifle, bearing serial number B092888;
- c. A Remington, model S97, .22LR caliber rifle, bearing serial number A2680097;
- d. An American Tactical, 5.56 caliber rifle, bearing serial number MSA064684;
- e. A Glock, model 43x, 9mm caliber pistol, bearing serial number CEFK671; and
- f. A Glock, model 19, 9mm caliber pistol, bearing serial number CDYP291.

5. A preliminary review of the above firearms by ATF interstate nexus experts indicates that they all have affected interstate commerce; that is, they were manufactured outside the state of Texas and, therefore, traveled in interstate or foreign commerce prior to arriving at Mac's Gun Shop Inc.

6. The FFL store employee stated that Dickerson filled out the ATF Form 4473, certified, and signed the form indicating that she was the actual purchaser of the firearms. The FFL stated that when it came time to pay the total purchase price of approximately \$2,500, another individual who had accompanied Dickerson, identified as Caleb Timothy FOX, produced the money and paid the FFL. The FFL stated that after they asked questions, the statements of FOX and Dickerson were determined to be inconsistent, and the FFL delayed the transaction.

7. The FFL stated that on March 12, 2025, they had been in contact with FOX who wanted to return and retrieve his money. The same day, investigators conducting surveillance of the FFL, observed FOX arrive at the FFL alone in a vehicle, enter the store, and leave.

8. Investigators consensually contacted and interviewed FOX, who admitted to working with Dickerson who would purchase the firearms and transfer them to FOX because he could not legally purchase some of the firearms in Texas. FOX stated that he paid Dickerson a fee for the straw purchase the firearms. Additionally, FOX told investigators that his purpose for acquiring the firearms was to smuggle the firearms to Mexico, where he had arranged to sell them to individuals. FOX stated that he had previously smuggled firearms from the United States to Mexico on earlier dates and later had sold the firearms to Mexican individuals whose possession of the firearms FOX knew was illegal.

9. FOX signed a written consent to search his phone, which contained text conversations in both English and Spanish with individuals whom FOX claimed were in Mexico, in which FOX was negotiating the sale and delivery of the of the above-referenced

Glock pistols. These messages are consistent with FOX's admissions to investigators. Numerous other text messages indicated that FOX would be traveling to Oaxaca, Mexico.

10. FOX further admitted to purchasing controlled substances from some of the individuals to whom he trafficked firearms. A cursory review of his phone showed numerous text messages in which FOX was negotiating the purchase of controlled substances, including cocaine. FOX admitted to investigators to being an unlawful user of cocaine and other controlled substance.

11. Finally, FOX signed a written consent to search his rental vehicle, during which investigators located and seized approximately 17 grams of what field-tested positive as a mixture or substance containing a detectable amount of cocaine, which appeared to be cocaine base ("crack"), and a firearm.

CONCLUSION

12. Based on the foregoing, I submit that there is probable cause to believe that Caleb Timothy FOX has committed a violation of 18 U.S.C. § 933(a)(3), Attempted Trafficking in Firearms. I swear under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

REQUEST FOR SEALING

13. It is respectfully requested that this Court issue an order sealing, until further order of the Court, all papers submitted in support of the criminal complaint, including this affidavit. Premature disclosure of the contents of this affidavit and related documents may have a significant and negative impact on the continuing investigation and may severely jeopardize its effectiveness.

Respectfully Submitted,



James Reed

Bureau of Alcohol, Tobacco, Firearms and Explosives

SUBSCRIBED AND SWORN to before me this 13 day of March 2025.



HON. K. NICOLE MITCHELL

UNITED STATES MAGISTRATE JUDGE